

# CITY COUNCIL PROCEEDINGS

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## MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, November 15, 2005  
Tuesday, 9:09 A.M.

The City Council met in regular session with Vice-Mayor Schlapp in the Chair. Council Members Brewer, Fearey, Gray, Martz, Skelton; present. (Mayor Mayans was absent with prior notice)

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

Vice-Mayor Schlapp asked for a moment of silence.

The pledge of allegiance was participated in by the Council Members, staff, and guests.

The Minutes of the November 8, 2005 meeting were approved 6 to 0, (Mayans absent).

## AWARDS AND PROCLAMATIONS

Proclamations

### Proclamations:

Vice-Mayor Schlapp read aloud the following proclamations:

“Family Week”

“Community Education Day”

## PUBLIC AGENDA

Farm/City Week

Gary Cramer, Sedgwick County Extension Ag Agent – Celebration of National Farm/City Week November 14-19, 2005.

Gary Cramer

Mr. Cramer stated that he is a Sedgwick County Extension Ag Agent and is here to celebrate Farm/City Week. Stated that farmers and ranchers of the United States provide one of the largest, safest and healthy food supplies in the world. Stated that farmers cannot do this alone and there is a partnership between farmers and ranchers, retailers, truckers, marketers, processors, etc. Stated that it is important that we recognize that partnership with these people is the essential part of the success to our food supply. Stated that we also need to recognize that we partner with the urban community as well as in the rural community. Stated in a collaborate effort between Sedgwick County Extension, Sedgwick County Farm Bureau Agricultural Association, the Agra-business Council of Wichita and Kansas Grown Farmers Market, they would like to celebrate and acknowledge that partnership between rural and urban communities.

## CONSENT AGENDA

Motion--  
--carried

Vice-Mayor Schlapp moved to approve the Consent Agenda items 2 through 18 as presented. Motion carried 6 to 0, (Mayans absent)

Motion--carried

Vice-Mayor Schlapp moved to reconsider. Motion carried 6 to 0, (Mayans absent).

Council Member Brewer

Council Member Brewer requested that items 18a and 18b be pulled due to conflict of interest.

Motion--carried

Vice-Mayor Schlapp moved to approve Consent Agenda items 18a and 18b. Motion carried 5 to 0, (Brewer abstained and Mayans absent).

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## BOARD OF BIDS

### REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED NOVEMBER 14, 2005.

PUBLIC WORKS DEPARTMENT/FLEET DIVISION: 40 each LFL Liberty Light Bars.

OMB Police Supply\* - \$57,080 (State of Kansas Contract #08156)

\*Purchases Utilizing Government Entities Contracts Cooperative Contract and Agreements  
Ordinance No. 38-122 Section 2.64.020 (j)

Motion--  
--carried

Vice-Mayor Schlapp moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 0 to 0, (Mayans absent)

## LICENSES

### APPLICATION FOR LICENSE.

#### Renewal – Adult Entertainment

Norman Massey                      Circle Cinema                      2570 South Seneca

Motion--  
--carried

Vice-Mayor Schlapp moved that the License be approved, subject to Staff review and approval. Motion carried 6 to 0; (Mayans absent)

## CMBS

### APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
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Tane Chanthivong	Chiang Mai Thai Restaurant*	3141 South Hillside
Carmen Rosales	Connie's Mexican Café*	2227 North Broadway

<u>Renewal</u>	<u>2005</u>	<u>(Consumption off Premises)</u>
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Saqui Trfan	Dao Variety Store	1601 East Central
Jayanti G. Patel	Food Mart #255	1400 North Market Suite A

<u>Special Event</u>	<u>December 3, 2005</u>
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Ricardo G. Moreno	American G.I. Forum Saturday Night Boxing	3617 South Seneca
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\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion--  
--carried

Vice-Mayor Schlapp moved that the License be approved, subject to Staff review and approval. Motion carried 6 to 0; (Mayans absent)

## PRELIMINARY ESTS. PRELIMINARY ESTIMATES:

a)            Hydraulic from the north line of 63rd Street South to 200 feet south of 57th Street south to provide four lane traffic and rebuild the bridge south of 57th Street South (472-84118/706922/205388) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$2,500,000

b)            Timberidge Circle to serve Timber Lakes Estates 4th Addition - north of Harry, west of 159th Street East. (472-84253/765953/490066) Does not affect existing traffic. (District II) - \$82,000

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- c) Fieldcrest Street from the west line of Lot 21, Block A, west and north to the south line of Maxwell; Maxwell from the east line of Fieldcrest Street west to the west line of Prescott; Prescott from the north line of Maxwell south to the south line of Savannah; Savannah from the east line of Prescott west to the west line of the Plat; Fieldcrest Circle from the north line of Fieldcrest Street north to and including the cul-de-sac; Maxwell Circle from the east line of Maxwell east to and including the cul-de-sac; Prescott Circle (Lots 43 thru 53, Block A) from the north line of Prescott north to and including the cul-de-sac; Prescott Circle (Lots 1 thru 10, Block C) from the south line of Prescott south to and including the cul-de-sac; Sidewalk on Fieldcrest Street, Maxwell, Prescott and Savannah to serve Southern Ridge 2nd Addition - south of Pawnee, west of Maize. (472-84098/765955/490068) Does not affect existing traffic. (District V) - \$327,000
- d) Governour Circle to serve Killarney Plaza East Addition - north of 29th Street North, west of Rock) (472-84225/765950/490063) Does not affect existing traffic. (District I) - \$171,000
- e) Water Distribution System to serve Killarney Plaza East Addition (north of 29th Street North, west of Rock) (448-90077/735269/470940) Does not affect existing traffic. (District I) - \$40,000
- f) 2005-2006 CDBG Asphalt ROW Repairs - north of 31st Street South, east of Hillside. (472-84275/092005/) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$54,170
- g) Lateral 6, Main 13, Sanitary Sewer #23 to serve Falcon Falls 2nd Addition - north of 45th Street North, west of Hillside. (468-84065/744147/480835) Does not affect existing traffic. (District I) - \$637,000
- h) Lateral 7, Main 13, Sanitary Sewer #23 to serve Falcon Falls 2nd Addition - north of 45th Street North, west of Hillside. (468-84066/744148/480836) Does not affect existing traffic. (District I) - \$91,000
- i) Cost of construction of water distribution system to serve Valley Acres Addition – north of 11th Street, west of St. Paul. (448-90064/735248/470-919) (District VI) Total estimated cost - \$4,900
- j) Cost of improving West Street, between Maple and Central (472-83997/706890/204-356) (Districts IV,VI) Total estimated cost - \$2,230,000
- k) Cost of Façade Improvement Program at 810 West Douglas – Lots 51,53,55,57,59 and 10 feet adjacent to Lot 59 on Douglas Avenue, West Wichita Addition. (472-83864/766008/491-009) (District IV) Total estimated cost - \$55,000
- l) Cost of Façade Improvement Program at 1011-1017 West Douglas (Lots 6,8,10,12 and 18, all on Douglas in West Wichita Addition – south of Douglas, east of Seneca. (472-83896/766009/491-010) (District IV) Total estimated cost - \$53,000
- m) Cost of Façade Improvement Program at 111 West Douglas (Lots 79, 81,83,85 and 87, on Douglas Avenue, Greiffenstein's Addition to Wichita, Sedgwick County Kansas – south of Douglas, west of Main. (472-83815//766006/491-007) (District I) Total estimated cost - \$140,000
- n) Cost of Pattie from the south line of Galena south to a point 42' south of the north line of Block 3, Rainbow 2nd Addition – west of Hydraulic, south of 31st Street South. (472-84109/765910/490-023) (District III) Total estimated cost - \$10,000

Motion--  
--carried

Vice-Mayor Schlapp moved that the Preliminary Estimates be received and filed. Motion carried 6 to 0, (Mayans absent).

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## **COST STATEMENTS    STATEMENTS OF COST:**

a) Meridian from 31st Street South to Pawnee (Design). Total Cost - \$82,788.68; (plus idle fund interest - \$391.18, - plus temporary note financing - \$353.14; less KDOT reimbursements - \$0; less financing previously issued - \$0; less interfund transfers - \$53,000.00). Financing to be issued at this time - \$30,533.00. (706854/472-83756/203-320).

b) Intersection of Westport and Maize (Design). Total Cost - \$16,752.02; (less idle fund interest - \$43.40, plus temporary note financing - \$276.38; less KDOT reimbursements - \$0; less financing previously issued - \$0; less interfund transfers - \$13,000.00). Financing to be issued at this time - \$3,985.00. (706880/472-83855/204-346).

### Partial Statements of Cost:

c) Seventh Partial) Estimate of Cost for Arkansas Riverbank Improvements (Construction) – Total Cost - \$6,859,000; less KDOT reimbursements - \$0, less financing previously issued - \$4,459,000. Financing to be issued at this time - \$2,400,000. (706556/472-82799/405-209).

d) (Second Partial) Estimate of Cost for 29th Street North, 1/2 mile east of Ridge – West Street (Design) – Total Cost - \$40,000; less KDOT reimbursements - \$0, less financing previously issued - \$25,000. Financing to be issued at this time - \$15,000. (706855/472-83753/203-321).

e) (First Partial) Estimate of Cost for Bike Path along the Little Arkansas River, from 13th Street to 21st Street (Construction) – Total Cost - \$132,000, less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$132,000. (706876/472-83812/203-342).

f) (Third Partial) Estimate of Cost for 29th Street North from Maize to Tyler (Construction) – Total Cost - \$2,479,820; less KDOT reimbursements - \$1,771,820, less financing previously issued - \$130,000. Financing to be issued at this time - \$578,000. (706868/472-83863/204-334).

g) (Second Partial) Estimate of Cost for Greenwich; 13th and K-96 Freeway (Design) – Total Cost - \$260,000; less KDOT reimbursements - \$0, less financing previously issued - \$100,000. Financing to be issued at this time - \$160,000. (706899/472-84004/204-365).

h) (Second Partial) Estimate of Cost for 29th Street North; 119th Street West and Maize (Design) – Total Cost - \$48,000; less KDOT reimbursements - \$0, less financing previously issued - \$20,000. Financing to be issued at this time - \$28,000. (706901/472-83982/204-367).

i) (Second Partial) Estimate of Cost for 17th Street; Broadway and I-135 Freeway (Design) – Total Cost - \$40,000; less KDOT reimbursements - \$0, less financing previously issued - \$25,000. Financing to be issued at this time - \$15,000. (706903/472-84014/204-369).

j) (Second Partial) Estimate of Cost for Dewey, Main and Broadway (Design) – Total Cost - \$21,000; less KDOT reimbursements - \$0, less financing previously issued - \$10,000. Financing to be issued at this time - \$11,000. (706905/472-84011/204-371).

k) (First Partial) Estimate of Cost for 13th Street from 135th Street West to Azure (Construction) – Total Cost - \$16,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$16,000. (706913/472-84131/204-379).

l) (First Partial) Estimate of Cost for the Intelligent Transportation System Study – Total Cost - \$63,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$63,000. (706916/472-84119/205-382).

m) (First Partial) Estimate of Cost for Meridian Street Improvement, 31st Street South to Pawnee (Construction) – Total Cost - \$1,328,862; less KDOT reimbursements - \$853,862, less financing previously issued - \$0. Financing to be issued at this time - \$475,000. (706918/472-84175/205-384).

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- n) (First Partial) Estimate of Cost for Oliver Bridge Improvement at Gypsum Creek (Construction) - Total Cost - \$10,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (715703/472-84184/245-119).
- o) (First Partial) Estimate of Cost for 29th Street North, 119th Street West and Maize (Construction) - Total Cost - \$39,900; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$39,000. (706919/472-84185/205-385).
- p) (Second Partial) Estimate of Cost for 13th Street Bridge at Cowskin Creek (Construction) - Total Cost - \$792,818; less KDOT reimbursements - \$0, less financing previously issued - \$452,818. Financing to be issued at this time - \$340,000. (751697/472-83851/244-113).
- q) (Second Partial) Estimate of Cost for 21st Street Bridge at St. Francis (Construction) - Total Cost - \$127,318; less KDOT reimbursements - \$39,318, less financing previously issued - \$13,000. Financing to be issued at this time - \$75,000. (715699/472-83933/244-115).
- r) (First Partial) Estimate of Cost for 21st Street Bridge at the Arkansas River (Design) - Total Cost - \$12,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$12,000. (715700/472-84019/244-116).
- s) (First Partial) Estimate of Cost for Hillside Bridge at Range Road (Design) - Total Cost - \$15,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$15,000. (715701/472-84000/244-117).
- t) (Second Partial) Estimate of Cost for Skate Park under the Kellogg Overpass at St. Francis (Construction) - Total Cost - \$95,500; less KDOT reimbursements - \$0, less financing previously issued - \$45,500. Financing to be issued at this time - \$50,000. (785027/392-159).
- u) (Second Partial) Estimate of Cost for ROW Acquisition Cowskin Creek Improvement - \$740,000; less financing previously issued - \$355,000. Financing to be issued at this time - \$385,000. (660792/864-002).
- v) (Second Partial) Estimate of Cost for 1st & 2nd Street West Outfall - \$5,600,000; less financing previously issued - \$100,000. Financing to be issued at this time - \$5,500,000. (660795/864-401).
- w) (First Partial) Estimate of Cost for Dry Creek ROW - Flood Mitigation - \$920,000; less financing previously issued - \$0.00. Financing to be issued at this time - \$920,000. Amended Partial Statements of Cost
- x) (Third Partial) Estimate of Cost for Harry Street, between I-135 Freeway and George Washington Boulevard (Construction) - Total Cost - \$936,923; less KDOT reimbursements - \$516,923, less financing previously issued - \$223,000. Financing to be issued at this time - \$197,000. (706851/472-83686/203-317).
- y) (Second Partial) Estimate of Cost for Douglas at Oliver Intersection (Design) - Total Cost - \$24,000, less KDOT reimbursements - \$0, less financing previously issued - \$11,000. Financing to be issued at this time - \$13,000. (706853/472-83755/203-319).
- z) (Third Partial) Estimate of Cost for 29th Street North, Tyler - Ridge (Design) - Total Cost - \$125,000; less KDOT reimbursements - \$0, less financing previously issued - \$61,000. Financing to be issued at this time - \$64,000. (706856/472-83751/203-322).
- aa) (Second Partial) Estimate of Cost for 29th Street North, 1/2 mile west of Maize to Maize (Design) - Total Cost - \$33,000; less KDOT reimbursements - \$0, less financing previously issued - \$13,000. Financing to be issued at this time - \$20,000. (706858/472-83752/203-324).

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- bb) (Second Partial) Estimate of Cost for Central, Oliver to Woodlawn (Design) – Total Cost - \$99,000; less KDOT reimbursements - \$0, less financing previously issued - \$85,000. Financing to be issued at this time - \$14,000. (706862/472-83754/203-328).
- cc) (Third Partial) Estimate of Cost for Main, Douglas to Murdock (Construction) – Total Cost - \$1,043,000; less KDOT reimbursements - \$0, less financing previously issued - \$1,016,000. Financing to be issued at this time - \$27,000. (706864/472-83811/203-330).
- dd) (Third Partial) Estimate of Cost for Hillside, from Kellogg to Central – Total Cost - \$426,439; less KDOT reimbursements - \$0, less financing previously issued - \$246,439. Financing to be issued at this time - \$180,000. (706867/472-83862/204-333).
- ee) (Third Partial) Estimate of Cost for Pawnee, Washington to Hydraulic – Total Cost - \$959,900; less KDOT reimbursements - \$0, less financing previously issued - \$139,900. Financing to be issued at this time - \$820,000. (706869/472-83858/204-335).
- ff) (Third Partial) Estimate of Cost for the Intersection of Pawnee and Washington – Total Cost - \$215,300; less KDOT reimbursements - \$0, less financing previously issued - \$174,300. Financing to be issued at this time - \$41,000. (706870/472-83859/204-336).
- gg) (Second Partial) Estimate of Cost for Central; Oliver and Woodlawn – Total Cost - \$125,000; less KDOT reimbursements - \$0, less financing previously issued - \$39,000. Financing to be issued at this time - \$86,000. (706871/472-83873/204-337).
- hh) (Second Partial) Estimate of Cost for Central, Woodlawn and Rock – Total Cost - \$27,000; less KDOT reimbursements - \$0, less financing previously issued - \$14,000. Financing to be issued at this time - \$13,000. (706872/472-83874/204-338).
- ii) (Second Partial) Estimate of Cost for Hydraulic, 47th Street South and 57th Street South (Construction) – Total Cost - \$1,129,000; less KDOT reimbursements - \$0, less financing previously issued - \$654,000. Financing to be issued at this time - \$475,000. (706877/472-83902/204-343).
- jj) (First Partial) Estimate of Cost for Arterial Sidewalk & Wheelchair Ramp Program (Construction) – Total Cost - \$100,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$100,000. (706879/472-83966/204-345).
- kk) (First Partial) Estimate of Cost for a Bike Path along the former MOPAC/UP Railroad Tracks from the intersection of Central at Waco to 15th Street North at Broadway – Total Cost - \$11,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$11,000. (706884/472-84008/204-350).
- ll) (Second Partial) Estimate of Cost for Seneca; I-235 Freeway and 31st Street South (Design) – Total Cost - \$59,000; less KDOT reimbursements - \$0, less financing previously issued - \$35,000. Financing to be issued at this time - \$24,000. (706892/472-84006/204-358).
- mm) (Second Partial) Estimate of Cost for Pawnee; Meridian to Seneca (Design) – Total Cost - \$60,000; less KDOT reimbursements - \$0, less financing previously issued - \$30,000. Financing to be issued at this time - \$30,000. (706893/472-84012/204-359).
- nn) (Second Partial) Estimate of Cost for Pawnee; Palisade and Broadway (Design) – Total Cost - \$37,000; less KDOT reimbursements - \$0, less financing previously issued - \$20,000. Financing to be issued at this time - \$17,000. (706894/472-84013/204-360).
- oo) (First Partial) Estimate of Cost for Oliver; Harry to Kellogg (Design) – Total Cost - \$43,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$43,000. (706895/472-84018/204-361).

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pp) (First Partial) Estimate of Cost for MacArthur; Meridian and Seneca (Design) – Total Cost - \$94,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$94,000. (706886/472-83996/204-362).

qq) (First Partial) Estimate of Cost for Central; 135th Street West and 119th Street West (Design) – Total Cost - \$48,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$48,000. (706898/472-84017/204-364).

rr) (First Partial) Estimate of Cost for Harry; K-42 Highway and Meridian (Design) – Total Cost - \$24,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$24,000. (706900/472-84001/204-366).

ss) (Second Partial) Estimate of Cost for 21st Street, Oliver to Woodlawn (Design) – Total Cost - \$76,500; less KDOT reimbursements - \$0, less financing previously issued - \$22,000. Financing to be issued at this time - \$54,500. (706902/472-84016/204-368).

tt) (Second Partial) Estimate of Cost for 13th, 135th Street West and 119th Street West (Design) – Total Cost - \$82,000; less KDOT reimbursements - \$0, less financing previously issued - \$39,000. Financing to be issued at this time - \$43,000. (706904/472-84010/204-370).

uu) (Second Partial) Estimate of Cost for Pawnee and McLean Intersection (Design) – Total Cost - \$24,000; less KDOT reimbursements - \$0, less financing previously issued - \$10,000. Financing to be issued at this time - \$14,000. (706906/472-84007/204-372).

vv) (First Partial) Estimate of Cost for Harry and Longford Intersection (Construction) – Total Cost - \$14,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$14,000. (706907/472-83998/204-373).

ww) (Second Partial) Estimate of Cost for 17th and Hillside Intersection (Design) – Total Cost - \$18,000; less KDOT reimbursements - \$0, less financing previously issued - \$10,000. Financing to be issued at this time - \$8,000. (706908/472-84015/204-374).

xx) (Second Partial) Estimate of Cost for Traffic Signalization Program (Construction) – Total Cost - \$407,000; less KDOT reimbursements - \$0, less financing previously issued - \$100,000. Financing to be issued at this time - \$307,000. (706911/472-83991/204-377).

yy) (First Partial) Estimate of Cost for 29th Street Improvement between Tyler and Ridge (Construction) – Total Cost - \$28,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$28,000. (706914/472-83903/204-380).

zz) (First Partial) Estimate of Cost for 2005 Arterial Sidewalk & Wheelchair Ramp Program – Total Cost - \$190,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$190,000. (706915/472-84142/205-381).

aaa) (First Partial) Estimate of Cost for the 9th Street Bridge at Westlink Ditch (Design & Construction) – Total Cost - \$227,364; less KDOT reimbursements - \$173,364, less financing previously issued - \$30,000. Financing to be issued at this time - \$24,000. (715702/472-84021/244-118).

bbb) (First Partial) Estimate of Cost for Oliver Bridge Improvement at Gypsum Creek (Construction) – Total Cost - \$10,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (715703/472-84184/245-119).

Motion--carried

Vice-Mayor Schlapp moved that the Statements of Cost be approved and filed. Motion carried 6 to 0, (Mayans absent)

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## **STREET CLOSURES     CONSIDERATION OF STREET CLOSURES/USES.**

There were no street closures to consider.

## **AGREEMENTS/CONTRACTS:**

## **SOUTHERN RIDGE     STAKING IN SOUTHERN RIDGE THIRD ADDITION, SOUTH OF PAWNEE, WEST OF MAIZE. (DISTRICT IV)-SUPPLEMENTAL.**

Agenda Report No. 05-1036

The City Council approved the storm drainage improvements in Southern Ridge 3rd Addition on March 22, 2005. On August 9, 2005 the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to Baughman will be on a lump sum basis of \$9,470 and will be paid by special assessments.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## **CMF EXPANSION     CENTRAL MAINTENANCE FACILITY (CMF) EXPANSION. (DISTRICT IV)**

Agenda Report No. 05-1037

The Central Maintenance Facility (CMF), located at 1801 S. McLean Blvd., includes buildings housing the shops and offices for Fleet Maintenance, Central Stores, Water and Sewer Operations, Storm Water, Flood Control, Park Arborist, Street Maintenance, Street Cleaning, Traffic Maintenance and Field Engineering for the Engineering Division of Public Works. The entire facility is overcrowded, with significant shortages in both interior space and exterior space. At the present time, the shortage of office space in the building occupied by the various Public Works field maintenance operations and by Field Engineering is critical. Lack of space is limiting their productivity.

Funds were included in the 2004 CIP for CMF Expansion, but this was based on a concept of expansion through land acquisition. Environmental issues and land availability issues became such that the funds were not initiated and that concept was not pursued. The current concern is how to provide adequate office facilities within the existing site limitations.

On June 7, 2005, City Council approved the project, adopted the Resolution and authorized staff to select a consultant to study and recommend solutions to these problems.

The first phase of this project will be a Concept Study and Preliminary Design for an amount not to exceed \$35,000.00. Once the concept study is completed and viable options are determined, staff will have the information necessary to develop recommendations for Council's consideration. Then with Council approval, a final design can be developed and implemented.

A Request for Proposals (FP500052) was issued and proposal received on July 29, 2005. Several responded. The Staff Screening and Selection Committee short-listed and interviewed the firms of Hanney & Assoc., Law/Kingdon, Inc. and Schaffer Johnson Cox Frey. The committee selected SJCF and has negotiated a Contract with SJCF for a lump sum fee of twenty four thousand dollars (\$24,000.00).



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The approved 2005-2014 Capital Improvement Program (CIP) includes \$150,000 for CMF Expansion design in 2005 (PB-350404) (Project No. 435405, OCA 792455) and \$1.250 million for construction in 2006 - 2007 for a total of \$2.650 million. Authorization of \$35,000 for the concept study and design was approved by City Council on June 7, 2005.

The Law Department has approved the Contract as to Form.

Motion--  
--carried

Vice-Mayor Schlapp moved that the Contract be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## SEWAGE TREATMNT MID-CONTINENT SEWAGE TREATMENT FACILITIES. (DISTRICT IV)

Agenda Report No. 05-1038

The 2000 Sewer Master Plan Update identified the need for a sewage treatment plant in southwest Wichita. Staff believes the plant will be required by 2008 to provide continued options for area growth, take pressure off of aging infrastructure, and for the Department to provide wholesale sewage treatment options to other local communities.

The City conducted a siting study to identify acceptable locations for the plant. Primary and secondary sites were selected through technical review process and community participation. A final decision was made by City Council on April 19, 2005. Following the site selection, the City sent a Request for Qualifications for professional services to permit, design and provide construction management services to consulting engineers registered with Purchasing. Three proposals were received.

The Staff Screening and Selection Committee conducted interviews on July 8, 2005, with the three responding firms. Staff recommended the professional services team lead by CDM because of the thoroughness of their proposal, the innovative ideas presented for the wholesale service opportunity, water reuse considerations and their focus on the City's minority business initiative. Staff believes the ideas presented by the CDM team will result in an outstanding project for the City.

CDM assembled a professional services team including personnel from their local office and CDM's national expertise. The team includes Poe & Associates, Schaeffer, Johnson, Cox & Frey and Dubois Engineering, a minority business from the Kansas City area seeking to establish a Wichita office.

The negotiated Contract includes:

- Design and permits for the Mid-Continent Sewage Treatment Facility
- An optional treatment facility for the City of Goddard with water reuse for Auburn Hills Golf Course
- Updating the City's bio-solids treatment and disposal plan

The Contract will not exceed \$6,172,900. Funds are available in CIP S-546, Mid-Continent Sewage Treatment Plant, with a budget of \$23,500,000.

The Contract has been reviewed and approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the Contract with CDM be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

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## **JANITORIAL SERV.    JANITORIAL SERVICES CONTRACT-FOR THE FOUR WICHITA POLICE SUBSTATIONS.**

Agenda Report No. 05-1039

The Wichita Police Substations are 24 hour a day operations utilized daily by police personnel. These facilities are also used for Environmental Court and Community Meetings on a regular basis. Due to the needs to keep these facilities clean, it has been advantageous to contract with an outside firm to provide the custodial services. Responses to a Request for Proposal were accepted by the City's Purchasing Manager on October 4, 2005. Approximately eight contractors attended a pre-proposal conference and ten proposals were submitted for this work.

A selection committee composed of seven individuals from different city departments reviewed the proposals. Each proposal was evaluated on the basis of qualifications, experience, available equipment, personnel, cost and references. The selection committee conducted interviews with five contractors. Based on these criteria, Mid-America Building Service, Inc., is recommended to provide these services.

The annual cost to provide custodial services to all four Police Substations is \$35,964.00. The proposed agreement is for one year beginning November 15, 2005, with the option to extend for two additional years.

The contract has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the contract be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## **DESIGN SERVICES AGREEMENTS**

## **EQUES. ESTATES    EQUESTRIAN ESTATES ADDITION, SOUTH OF HARRY, EAST OF 127TH STREET EAST. (DISTRICT II)**

Agenda Report No. 05-1040

The City Council approved the water distribution system, sanitary sewer, storm drainage and street paving improvements in Equestrian Estates Addition on October 15, 2005.

The proposed Agreement between the City and Poe & Associates, Inc. provides for the design of bond-financed improvements consisting of water, sanitary sewer, storm drainage and paving in Equestrian Estates Addition. Per Administrative Regulation 7a, staff recommends that Poe be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Poe will be on a lump sum basis of \$72,600 and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

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## PRAIRIE POINTE

### **PRAIRIE POINTE AND PRAIRIE POINTE SECOND ADDITIONS, NORTH OF 37TH STREET NORTH, WEST OF MAIZE. (DISTRICT V)**

Agenda Report No. 05-1041

The City Council approved the water distribution system, sanitary sewer and street paving improvements in Prairie Pointe & Prairie Pointe 2nd Additions on July 12, 2005.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements consisting of water, sanitary sewer and paving in Prairie Pointe & Prairie Pointe 2nd Additions. Per Administrative Regulation 7a, staff recommends that PEC be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to PEC will be on a lump sum basis of \$42,300, and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## HAWTHORNE 2<sup>ND</sup>

### **HAWTHORNE SECOND AND THIRD ADDITIONS, NORTH OF 21ST STREET, EAST OF 27TH STREET EAST. (DISTRICT II)**

Agenda Report No. 05-1042

The City Council approved the water distribution system, sanitary sewer and street paving improvements in Hawthorne 2nd & 3rd Additions on March 1, 2005.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond-financed improvements consisting of water, sanitary sewer and paving in Hawthorne 2nd & 3rd Additions. Per Administrative Regulation 7a, staff recommends that MKEC be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to MKEC will be on a lump sum basis of \$31,000, and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## SOUTHERN RIDGE

### **SOUTHERN RIDGE SECOND AND THIRD ADDITIONS, SOUTH OF PAWNEE, WEST OF MAIZE. (DISTRICT IV)**

Agenda Report No. 05-1043

The City Council approved the water distribution system, sanitary sewer and street paving improvements in Southern Ridge 2nd & 3rd Additions on March 22, 2005.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of water, sanitary sewer and paving in Southern Ridge 2nd & 3rd Additions. Per Administrative Regulation 7a, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

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Payment to Baughman will be on a lump sum basis of \$60,600 and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the agreement be approved and the necessary signatures authorized.  
Motion carried 6 to 0, (Mayans absent).

## FALCON FALLS 2<sup>ND</sup>

### **FALCON FALLS SECOND ADDITION, NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE. (DISTRICT I)**

Agenda Report No. 05-1044

The City Council approved the sanitary sewer improvements in Falcon Falls 2nd Addition on August 16, 2005.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of sanitary sewer in Falcon Falls 2nd Addition. Per Administrative Regulation 7a, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Baughman will be on a lump sum basis of \$46,100 and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--  
--carried

Vice-Mayor Schlapp moved that the agreement be approved and the necessary signatures authorized.  
Motion carried 6 to 0, (Mayans absent).

## PROPERTY ACQ.

### **ACQUISITION OF LAND AND EASEMENTS BY EMINENT DOMAIN FOR THE NORTH AREA SEWER SANITARY LINE NEAR MERIDIAN AND 53RD STREET NORTH. (DISTRICT VI)**

Agenda Report No. 05-1045

On October 21, 2003, the City Council approved the construction and extension of a sanitary sewer line and pump lift station to provide service to newly developing areas in north Wichita. This project requires the acquisition of utility easements on ten tracts of land for sewer lines and the acquisition of an eleventh parcel for the sanitary sewer lift station. Temporary construction easements along the easements and around the lift station are also required.

One landowner holds title to five of the ten tracts and the lift station site. Agreement has not been reached on the lift station site. In addition, while the landowner accepted the City offer of \$51,215 for the easements and the City Council approved the acquisition on September 13, 2005, the landowner has yet to sign and return the easements.

City staff has been attempting to negotiate a purchase of the lift station site but have been unable to reach an agreement with the owner. The acquisition was valued at \$125,325. This amount includes payment for the land and acquisition of an access easement and temporary construction easement. The owner has not accepted or rejected the cash offer. He has, however, proposed numerous conditions and terms, some not even related to the acquisition. Staff has attempted to resolve as many of these as they can without impacting the best interests of the City. Staff will continue to negotiate with the owner, but due to the lack of a firm counter offer and the continued addition of conditions, it is necessary to initiate eminent domain. This action will include both the lift station site and the easements that the owner contractually agreed to sell to the City but which he has not yet executed and returned.

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The cost of this acquisition will be paid for by the City at large.

Motion--

Vice-Mayor Schlapp moved that the resolution be adopted; the ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition be placed on first reading and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

--carried

## RESOLUTION NO. 05-599

A Resolution declaring the necessity for acquiring private property for the use of the City of Wichita in connection with planned Sanitary Sewer improvements to serve an area bordered by West Street on the West, The Little Arkansas River on the East, ½ mile north of 61<sup>st</sup> Street North on the north and ½ mile south of 53<sup>rd</sup> Street on the south, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton. (Mayans absent)

## ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of sanitary sewer to serve an area bordered by west street on the west, The Little Arkansas river on the east, ½ mile north of 63rd street north on the north and ½ mile south of 53rd street north on the south in the city of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, introduced and under the plans laid over.

**WELLINGTON PL**

### **SALE OF 1847 WELLINGTON PLACE. (DISTRICT VI)**

Agenda Report No. 05-1046

The City owns the L. W. Clapp house at 1847 North Wellington Place property. The 7,738 square foot house has 18 rooms with 7 bedrooms and 6 bathrooms on a 55,575 square foot lot. The property is zoned two-family and is subject to the Midtown Neighborhood Plan zoning overlay. The property is listed as a historic structure on the Federal, state and local registers. The property was placed on the open market in September 2005.

The property has been appraised at \$375,000 and \$470,000. A broker estimated value at between \$375,000 and \$525,000 but recommended listing the property at \$495,000. Information on the property with a list price of \$495,000 was posted to the Internet and sent to over 1,200 real estate professionals and investors. A contingency free offer of \$415,000 was received from a buyer in Florida. They intend to relocate to Kansas and utilize the house as their personal residence. They plan to spend approximately \$200,000 restoring the property to a fully Victorian architectural style.

The City will receive cash consideration for the sale of the property. The property will return to the tax rolls and the City will no longer be responsible for maintenance.

The Law Department has approved the contracts as to form.

Motion--

Vice-Mayor Schlapp moved that the Real Estate Purchase Contracts be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

--carried

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## SEWER PLANT 2

### SALE OF SURPLUS PARCEL NEAR SEWER PLANT 2. (DISTRICT III)

Agenda Report No. 05-1047

The City owns a 12.43-acre parcel located west of Sewer Plant 2. The parcel is located along the river levee in the 5500 block of South Spruce. It was dedicated to the City January 25, 1994. On October 31, 1995, Council declared the parcel as surplus and available for sale.

City staff has openly marketed the tract and tract has received little interest. The tract has been a continuing source of complaints concerning illegal dumping and fires. These complaints require City resources to address. An offer to purchase the 12.43-acre tract was made at \$400 per acre.

The City will receive \$4,972.00 for the sale of the property, less an estimated \$200 for the City's portion of closing costs. Upon sale, the property will return to the tax rolls.

The Law Department approved the contract as to form.

Motion--  
carried

Vice-Mayor Schlapp moved that the proposal to purchase the surplus property be accepted and the -- necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## FRONTAGE ROAD

### KELLOGG FRONTAGE ROAD, BETWEEN 135TH STREET WEST AND 119TH STREET WEST. (DISTRICT V)

Agenda Report No. 05-1048

The Kansas Department of Transportation (KDOT) has agreed to participate in the funding of a new frontage road on the south side of Kellogg, between 135th St. West and 119th St. West. Sedgwick County has also agreed to participate in the project funding because the west ½ mile of the project is not within the Wichita City limits. Sedgwick County has entered into an agreement with KDOT concerning their participation, and a City/County agreement has been prepared that outlines the responsibilities of Sedgwick County and the City.

The project consists of a two-lane roadway on the south side of Kellogg that will connect to 135th St. West and 119th St. West. It will reduce the need to connect future development directly to the thru lanes of Kellogg. The completed project will be incorporated into the Kellogg freeway when it is built in this area.

The estimated project cost is \$2,900,000, with \$2,010,000 paid by KDOT, \$445,000 paid by the County and \$445,000 paid by the City of Wichita. Previous right-of-way purchase will apply to the amount. Funding for the City share is available from under expenditures in the West Kellogg Freeway Program. The funding source for the City share is the local sales tax.

The Law Department has approved the City/County agreement as to legal form.

Motion--  
--carried

Vice-Mayor Schlapp moved that the project and the City/County Agreement be approved; the necessary signatures and the signing of State/Federal agreements as required authorized. Motion carried 6 to 0, (Mayans absent).

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## TRUCK SCALES

### PURCHASE OF TRUCK SCALES FOR BROOKS C & D LANDFILL. (DISTRICT VI)

Agenda Report No. 05-1049

The existing truck scales have exceeded their useful life.

A request for proposals was sent to six vendors on August 15, 2005. Two vendors responded. The Staff Screening and Selection Committee interviewed both vendors that submitted proposal on September 23, 2005, and unanimously selected Hammel Scale to finish the scales.

The not to exceed total cost for the installation of the truck scales is \$150,000. There are sufficient funds available for the purchase of this equipment in the 2005 landfill budget.

All purchases in excess of \$25,000 require City Council approval.

Motion--

Vice-Mayor Schlapp moved that the selection of Hammel Scale for the purchase and installation of the landfill truck scales be approved and the Purchasing Manager authorized to issue a purchase order of a not to exceed amount of \$150,000. Motion carried 6 to 0, (Mayans absent).

--carried

## WAM

### WICHITA ART MUSEUM IMPROVEMENTS (WAM) (DISTRICT VI)

Agenda Report No. 05-1050

The Wichita Art Museum (WAM) is a facility that has been constructed over the years through a series of additions to the small building that originally occupied the site

The original 1935 building design included the rotunda area. When the addition designed by Edward Larabee Barnes was added in the 1970's, the rotunda was retained. The addition was built around and over the rotunda, making it an integral part of the expanded museum facility. A mechanical penthouse was constructed on the roof of the Barnes addition directly above the rotunda. The asphalt roof surface was used as the floor of the penthouse. Two large multi-zone air-handling units (AHUs) were installed in the penthouse, and a single humidifier dispersion tube extending continuously through eight side-by-side multi-zone ducts provided steam humidification. Building Maintenance has wanted for some time to replace the old steam humidification system with a modern system having individual controls for each zone. \$165,000 has been included in the CIP for 2006 and 2007 for that purpose. Future plans have also called for the replacement of the two 30+ year old air handlers due to their age and condition, but funding has not been designated.

Recent stains on the ceiling and upper walls of the rotunda below the penthouse indicate water leaks which constitute a threat to the safety of the art work displayed in that area. Preliminary investigations by City staff and a professional engineer (who volunteered his services without charge) have determined that water leaking from the old steam humidification system in the ducts in the penthouse above may be finding its way through defects in the old asphalt floor under the air handlers and may be the primary source of these leaks. However, several other potential sources of water have been found that may be contributing factors. A Request for Proposals (RFP) has been issued and the Staff Screening and Selection Committee has selected an architectural and engineering team headed by Schaefer Johnson Cox Frey (SJCF) to conduct a thorough investigation of all the potential sources of the leaks and to arrive at a schematic plan and budget for resolving the problems. The fee for this work is \$18,600. The results of the SJCF study will be used to determine the full extent of the repair/replacement work that is needed. This will form the basis for programming the engineering design and construction to be included in the next phase of the project.

It is anticipated that the total scope of work required to resolve the cause of the leaks, or potential future leaks, will involve a significant replacement and/or updating of major mechanical/structural components with a total cost exceeding the \$165,000 currently budgeted in the CIP. On October 18, Council approved the allocation of \$2.25 million in CIP funds to the CIP Planned Savings Project for use in making capital repairs to City facilities. Repair to the air handling system at the Art Museum

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was listed as a potential example of projects to be funded from this money. A portion of those Planned Savings will be designated as the funding source for any required work that exceeds the \$165,000 originally programmed in the CIP, and these later contracts will be brought back to Council for approval.

The approved 2005-2014 Capital Improvement Program (CIP) includes \$15,000 in 2006 and \$150,000 in 2007 for a total of \$165,000 for the WAM project (Project No. 435416, OCA 792484). The funding source is General Obligation Bonds.

The Law Department has approved the Resolution as to Form.

Motion--  
--carried

Vice-Mayor Schlapp moved that the Project be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## RESOLUTION NO. 05-601

Resolution of findings of advisability of making certain public improvements in the City of Wichita, Kansas; setting forth the general nature and the estimated cost of such improvements; and authorizing the issuance of Bonds of the City of Wichita, Kansas, to pay all or a portion of the cost thereof, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton. (Mayans absent)

## MORATORIUM

### **EXTEND THE MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF APPLICATIONS FOR AND ISSUANCE OF LAND USE, BUILDING AND DEVELOPMENT PERMITS AND BUSINESS LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS TO COINCIDE WITH THE END OF THE AMORTIZATION PERIOD TO BE ESTABLISHED IN THE UNIFORM ZONING CODE FOR SEXUALLY ORIENTED BUSINESSES IN THE CITY.**

Agenda Report No. 05-1065

The regulation, permitting and licensing of Adult Entertainment Establishments are currently governed by Chapter 3.05 of the City Code. Neither Adult Entertainment Establishments nor Sexually Oriented Businesses in the City are currently defined or regulated through the Wichita-Sedgwick County Unified Zoning Code (UZC) within the City of Wichita. The City Council has approved passed, on first reading, of new zoning regulations that restrict the zoning districts available for location of such businesses, and amortize the existing businesses in districts and locations rendered nonconforming.

Following enactment of the current moratorium on February 8, 2005 on the issuance of permits and licenses for new Adult Entertainment Establishments, staff has been studying the regulation of such businesses, including proposed comprehensive zoning regulations that would address the negative effects of Adult Entertainment Establishments upon neighboring properties and the community as a whole. On August 2, 2005, the Council extended the moratorium until November 15, 2005 to allow staff time to (1) draft more specific UZC and licensing ordinance amendment language, (2) present the proposed UZC changes to District Advisory Boards for review and comment; and (3) present final proposed UZC amendments to MAPC in October. Staff prepared proposed UZC amendments for Council, and has now modified that proposal that conforms to Council discussion. The proposed UZC amendments are on the Council's agenda today for consideration on second reading,

Extension of the moratorium to coincide with the proposed UZC amendments will prevent the creation of new, nonconforming uses within the amortization period, and will allow the due process court proceedings to be completed before existing Adult Entertainment Establishment licensees are effected by the zoning regulation amortization requirements.

Motion--  
--carried

Vice-Mayor Schlapp moved that an extension of the current Moratorium on the Issuance of new Adult Entertainment Establishment licenses and land use permits, to be effective until December 31, 2007 be approved, and the Resolution be adopted. Motion carried 6 to 0, (Mayans absent).



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## RESOLUTION NO. 05-600

A Resolution by the governing body of the City of Wichita, Kansas approving an extension of administrative delay for considering and approving new requests for the licensing and locating of adult entertainment establishments presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton. (Mayans absent)

### GRANTS REVIEW

#### GRANTS REVIEW COMMITTEE APPOINTMENTS.

Agenda Report No. 05-1051

In order to receive certain federal funds, the City is required to have a citizen participation plan. The City of Wichita has designated the GRC as the means of achieving the federal requirement for citizen participation, and it is so noted in the Consolidated Plan.

The Grants Review Committee is a 12-member citizen group appointed by the Council to review applications and proposals for Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG) funding. The committee's composition was designated by the City Council in 2000, as follows: District Advisory Board (4); United Way (1); Sedgwick County (1); USD #259 (1); Wichita Independent Neighborhood Association (2); Wichita State University (1); large business (1) and small business (1).

The Grants Review Committee will review proposals received for Women's Services, Summer Youth Employment, Youth Recreation & Enrichment as well as the funding applications received for HOME projects and Emergency Shelter Grant programs. The Grants Review Committee will hold at least one public hearing to allow for oral presentations and will make funding recommendations to the City Manager for presentation to the City Council.

Nominations for the 2006 Grants Review Committee have been received from each agency in accordance with the composition listed above.

Motion--

--carried

Vice-Mayor Schlapp moved that the appointments to the 2006 Grants Review Committee be approved and it is further recommended that the City Council authorize the City Manager to appoint a replacement(s), in the event that an appointee is unable to serve. Motion carried 6 to 0, (Mayans absent).

### EVERGREEN PARK

#### LEASE SPACE AT EVERGREEN PARK HEALTH STATION, 2700 WOODLAND, (DISTRICT VI)

Agenda Report No. 05-1052

Sedgwick County currently leases space from the City of Wichita at the Evergreen Park Health Station at 2700 Woodland. The County provides medical services to the public at this location. Upon expiration of their lease at the end of December, the County wishes to consolidate services at their new location on West Central. GraceMed Health Clinic has proposed to continue to utilize the space for personal health and dental programs.

The County was paying \$30,666 per year for their portion of the operating costs of the Evergreen facility. GraceMed has proposed to enter into a year-to-year lease at this same rate. The first year will be rent-free unless GraceMed does not renew the lease, in which case they will be responsible for payment of the full year's rent. GraceMed is also responsible for janitorial costs associated with their space, liability insurance and any taxes associated with their occupancy. The lease will continue on a year-to-year basis unless canceled by one of the parties.

The City will receive revenue to offset operating costs for facility.

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The Law Department has approved the lease as to form.

Motion--  
--carried

Vice-Mayor Schlapp moved that the Lease Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## ORDINANCES

### SECOND READING ORDINANCES: (FIRST READ NOVEMBER 8, 2005)

#### (Item 18a.)

- a) Issuance of Taxable Industrial Revenue Bonds, The Boeing Company. (District III)

#### ORDINANCE NO. 46-817

An Ordinance approving and authorizing the execution of a Lease Agreement between The Boeing Company and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and the Bank of New York Trust Company, N.A.; pledging certain payments under said Lease Agreement and moneys and securities held by the Trustee under the terms of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series V, 2005 (The Boeing Company Project) of said City in the principal amount of \$29,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of The Boeing Company, a Delaware Corporation, in Sedgwick County, Kansas; designating the trustee and the paying agent for said bonds; authorizing the sale of said bonds and the execution of a Bond Purchase Agreement therefor; approving and authorizing the execution of an Administrative Service Fee Agreement; and authorizing the execution and delivery of certain related instruments, read for the second time. Schlapp moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 0, (Brewer abstaining and Mayans absent).

#### (Item 18b.)

- b) Public Hearing and Issuance of Taxable Industrial Revenue Bonds, Spirit AeroSystems, Inc. (District III)

#### ORDINANCE NO. 46-818

An Ordinance approving and authorizing the execution of a Lease Agreement between Spirit Aerosystems, Inc. and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and the Bank of New York Trust Company, N.A.; pledging certain payments under said Lease Agreement and moneys and securities held by the Trustee under the terms of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series VI, 2005 (Spirit Aerosystems, Inc. Project) of said City in the principal amount of \$80,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of Spirit Aerosystems, Inc., a Delaware Corporation, in Sedgwick County, Kansas; designating the trustee and the paying agent for said bonds; authorizing the sale of said bonds and the execution of a Bond Purchase Agreement therefor; approving and authorizing the execution of an Administrative Service Fee Agreement; and authorizing the execution and delivery of certain related instruments, read for the second time. Schlapp moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 0, (Brewer abstaining and Mayans absent).

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- c) ZON2005-00036 - generally located 200 feet west of Battin, north of East Central. (District I)

## ORDINANCE NO. 46-819

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21, read for the second time. Schlapp moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, and Skelton, (Mayans absent). (ZON 2005-00036)

- d) ZON2005-00039 - generally located midway between Meridian Avenue and West Street, 150-feet south of Central Avenue. (District VI)

## ORDINANCE NO. 46-820

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21 Schlapp moved that the Ordinance be placed upon its passage and adopted, read for the second time. Schlapp moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, and Skelton, (Mayans absent). (ZON 2005-00039)

- e) DR2005-03-Proposed Amendments to the Wichita-Sedgwick County Subdivision Regulations.

## ORDINANCE NO. 46-821

An Ordinance amending the "Wichita-Sedgwick County Subdivision Regulations, January 28, 1999 Edition," as adopted by reference in City of Wichita Code Sec. 28.05.010, , read for the second time. Schlapp moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, and Skelton, (Mayans absent).

- f) ZON2005-10 - located on the northwest corner of Hillside and 45th Street North. (District I)

## ORDINANCE NO. 46-822

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21, , read for the second time. Schlapp moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, and Skelton, (Mayans absent). (ZON 2005-10)

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## UNFINISHED BUSINESS

DR2005-00030

**DR2005-00030 - AMENDMENT TO THE APRIL 19, 2001 EDITION OF THE WICHITA-  
SEDGWICK COUNTY UNIFIED ZONING CODE TO AMEND DEFINITIONS AND USE  
REGULATIONS FOR USES INCLUDING, NIGHT CLUBS IN THE CITY, PERSONAL CARE  
SERVICE, PERSONAL IMPROVEMENT SERVICE, SEXUALLY ORIENTED BUSINESSES,  
THE OT-O USE REGULATIONS AND TAVERNS AND DRINKING ESTABLISHMENTS  
AND TO NONCONFORMITIES.**

Agenda Report No. 05-0980A

MAPC Recommendation: Approve (7-3)

Staff Recommendation: Approve

DAB Recommendations: DAB I - provided input and comments for City Council consideration (9-26-05); DAB II - provided input and comment for City Council consideration (10-03-05); DAB III - unanimous vote that they do not want these type of SOB businesses in District III (10-05-05); DAB IV - provided input and comment for City Council consideration (10-05-05); DAB V - provided comment (10-03-05); DAB VI - provided feedback and input (09-12-05)

On November 1, 2005, Wichita City Council voted (5-2) to enact approve first reading of an ordinance to add regulations to the Unified Zoning Code pertaining to Sexually Oriented Businesses.

These changes consist of extending the amortization period from December 31, 2006 to December 31, 2007, as approved by City Council and adding additional due process procedures. Other changes are technical and reorganizational to further clarify the intent of consists of technical changes to the ordinance.

The agenda item referral packet for the meeting held November 1, 2005 included: a discussion of the proposed amendments to the Unified Zoning Code, the recommendation of the Metropolitan Area Planning Commission meeting and minutes from the meeting, a summary of recommendations from District Advisory Board meetings, delineated changes to the text (as recommended by presented to the MAP meeting), comments from a citizens group, and the ordinance as presented for first reading.

The amendments would permit sexually oriented businesses only in the "GC" General Commercial, "LI" Limited Industrial and "GI" General Industrial zoning districts. A distance separation of 500 feet would be required from a school, church, public park, licensed day care center, residential district boundary, OT-O district boundary or other adult entertainment establishment.

Motion--carried

Gray moved that the item be deferred until the December 13, 2005 meeting. Motion carried 6 to 0, (Mayans absent).

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## NEW BUSINESS

INFONXX, INC.

### PUBLIC HEARING AND REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS, INFONXX, INC. (DISTRICT II)

Lisa Jones

Industrial Analyst reviewed the item.

Agenda Report No. 05-1053

The Greater Wichita Economic Development Coalition has worked with a national site consultant to recruit a new company to Wichita. InfoNXX, Inc. a major provider of telephone directory assistance and enhanced information services to leading communications companies, businesses and consumers located principally in the United States, United Kingdom, France, and Italy. As a result of the recruitment effort, InfoNXX will locate a large customer service center in the former MCI Building, near Rock Road and K-96 in northeast Wichita, and hire over 900 customer care representatives. As an economic development incentive, the City offered InfoNXX industrial revenue bonds (IRBs) and property tax abatement on equipment and furnishings, subject to City Council approval.

InfoNXX Inc. & Subsidiaries is requesting the issuance of a six-month Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$6 million. Bond proceeds will be used to finance the cost of equipping a customer service center facility. InfoNXX is also requesting the City Council's approval of a 100% five-year tax exemption on bond-financed property, plus a second five-year exemption upon City Council approval.

InfoNXX was founded in 1992 and has grown to become the largest non-carrier directory assistance provider in the world. The Company has been consistently rated among the top third-party directory assistance ("DA") companies in the country by a national rating agency. In the U.S., the Company provides non-branded, outsourced DA and related services under contract arrangements primarily to leading wireless carriers such as Sprint PCS, Verizon Wireless, U.S. Cellular and Dobson, among others. InfoNXX also provides outsourced DA to various cable telephony carriers and competitive local exchange carriers such as Cox Communications, Comcast, and XO.

InfoNXX has committed to hire at least 944 new employees over an 18-month period, at a weighted average wage rate of \$9.82 per hour. The Company will lease the former MCI Building at 8400 East 32nd Street North from its current owner.

An analysis of the uses of project funds is:

#### USES OF FUNDS

Software	\$513,000
Licenses	834,980
Telecom Equipment	1,783,852
Computer Equipment	1,141,589
Furniture & Fixtures	440,000

Total Cost of Project: \$4,713,421

The firm Hinkle Elkouri L.L.C. will serve as bond counsel in the transaction. The Company will purchase the Bonds and as a result there is no need for an underwriter. The Company agrees to comply with the City's requirements contained in the Letter of Intent. The cost/benefit analysis based on the fiscal and economic impact model of the Wichita State University's Center for Economic Development and Business Research reflects cost/benefit ratios as follows:

City	2.82 to one
County	1.78 to one
USD 259	1.23 to one
State	5.78 to one

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InfoNXX agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City's Economic Development Incentive Policy, the project qualifies for a 100% tax exemption on property purchased with bond proceeds, based on creation of 944 new jobs and the investment of \$6 million. Because of the competitive recruitment effort, GWEDC recommended the term of abatement be increased to 5+5 years. In addition to the property tax abatement, the project will qualify for a sales tax exemption on bond-financed property worth \$344,000.

The estimated first year's taxes on InfoNXX's proposed \$4,713,421 expansion would be \$81,756 on personal property improvements, based on the 2004 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$81,756 of new taxes from the personal property tax rolls. The tax exemption would be shared among the taxing entities as follows: City - \$22,949; County/State - \$21,820; and USD 259 - \$36,986.

Bond documents needed for the issuance of bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Vice-Mayor Schlapp

Vice-Mayor Schlapp inquired whether anyone wished to be heard and no one appeared.

Motion--

Vice-Mayor Schlapp moved that a Letter of Intent to InfoNXX Inc. for Industrial Revenue Bonds in an amount not-to-exceed \$6 million, subject to the Letter of Intent conditions, for a term of six-months; a 100% tax abatement on all bond-financed property for an initial five-year period plus an additional five years following City Council review be approved and the application for a sales tax exemption on bond-financed property be authorized. Motion carried 6 to 0, (Mayans absent).

--carried

## HUD

### HUD CONSOLIDATED PLAN PROCESS.

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Agenda Report No. 05-1054

The U.S. Department of Housing and Urban Development (HUD) provides annual funding for programs, which serve or benefit low to moderate-income persons. This funding is a part of the HUD Consolidated Plan process and includes three funding sources: Community Development Block Grant (CDBG); HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG). HUD requires local governments to submit annual amendments to the Consolidated Plan to receive funding. Each year the City of Wichita submits a One-Year Action Plan, outlining specific activities to be funded through the CDBG, HOME and ESG programs. In order to receive its annual allocation, the City must have an approved One-Year Action Plan.

City staff annually develops funding estimates and makes recommendations for funding categories to the City Council. After discussion, the City Council approves allocation categories and amounts and staff issue Requests for Proposals and applications to agencies, which can provide the designated services. In addition, the availability of funds is posted on the City's website, to attract applicants other than those directly solicited.

Unofficially, HUD estimates reduced funding for the 2006/2007 CDBG program. Therefore, staff has recommended funding categories and reduced amounts for 2006-2007, based on priorities of homeownership and based on Consolidated Plan priorities. Staff estimates that funding for HOME and ESG will remain the same, and therefore no changes in 2006-2007 HOME and ESG funding categories are proposed.

Staff will adjust funding categories and amounts once HUD announces final allocations. All staff modifications will be presented to the City Council for final approval after RFPs and applications have been received and reviewed.

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Staff prepared the following funding estimates for 2006-2007: CDBG - \$3,107,364; HOME - \$1,903,630; and ESG - \$126,690. These are all Federal funds; the only fund source requiring a match is HOME. In the past, match funds of 25% have been achieved through creative partnerships with community agencies and have not required General Fund match support.

All proposed Council actions and program activities are consistent with Federal regulations and requirements.

- Council Member Fearey Council Member Fearey asked the City Manager what kind of affect would moving the community education section to the Parks Department, have on their budget.
- George Kolb City Manager stated that he does not know at this time but that the impact would not be felt until the end of June, which is the end of the CDBG period. Stated that we could probably find a way to maintain the programs at least through the next budget year. Stated that this is still under consideration, whether or not we need to re-engineer that program and figure out exactly where it should go. Stated that he does not have a specific action plan to the Council to consider at this time but will by the next budget cycle. Stated that we are attempting to re-engineer the community educators in the Parks and Recreation Department. Stated that several recreation facilities have community educators and it would not be a great shift to include the program activities of the current community educators funded through the CDBG. Stated that this is one option that they are taking a hard look at.
- Council Member Brewer Council Member Brewer stated that he understands what our Housing Director is doing and supports it but regarding the issue of community educators, which is a big factor in our districts and the services that we are providing to the citizens, that he would personally like to be involved in that process regarding how you are going to go about doing this.
- George Kolb City Manager stated that he thinks that what the Housing Director is bringing forward today, is a separate issue related to funding and the lack thereof and she has prioritized this based on community development priorities set by the Council as to what should be funded out of CDBG. Stated that we have not had a chance to look at this in depth so that we can bring back a recommendation to the Council. Stated that we are just as concerned as the Council is about this and are in the preliminary process of trying to address those issues. Stated that the Council will be kept advised as they move forward.
- Council Member Fearey Council Member Fearey stated that it was mentioned that a high priority is home ownership and it has the most funding. Asked if later on if it would be possible if it were the Council's decision, to move some of that funding into summer jobs and community educators.
- Mary K. Vaughn Director of Housing and Community Services stated that the impact on that would be that they would do fewer home repairs.
- Vice-Mayor Schlapp Vice-Mayor Schlapp inquired whether anyone wished to be heard.
- Cybill Strum Ms. Strum stated that there are a lot of people who are on a fixed income and do not have a lot of money to fix up their homes. Stated that the Council should compromise and that some of the money should go to homes and some to education.
- Motion-- Brewer moved that public hearing be closed; funding categories and reserve amounts for 2006-2007 Consolidated Plan funding, based on funding be approved and when starting this process, regarding what we are going to do with addressing the community educator, that the Council be involved in this process when addressing this issue. Also to include when the Council is brought in that they also include one of the community educators that we have in the Park and Recreation Department and also one of the neighborhood assistants that does not have a community educator. Motion carried 6 to 0, (Mayans absent).
- carried

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## UNSAFE STRUC.

### REPAIR OR REMOVAL OF A DANGEROUS AND UNSAFE STRUCTURE.

Kurt Schroeder

Department of Central Inspection reviewed the item.

(Council Member Skelton momentarily absent)

Agenda Report No. 05-1055

On October 4, 2005 a report was submitted with respect to the dangerous and unsafe conditions on the property below. The Council adopted a resolution providing for a public hearing to be held on this condemnation action at 9:30 a.m. or as soon thereafter, on November 15, 2005.

On September 12, 2005, the Board of Code Standards and Appeals (BCSA) held a hearing on the following property:

Property Address

Council District

a. 1135 North Piatt

I

Pursuant to State Statute, the Resolution was duly published twice on October 6, 2005, and October 13, 2005. A copy of the resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of the described property.

Anthony Griffin

Mr. Griffin stated that he inherited this property and is currently working with a finance department. Stated that he has an associate who has been living at this residence for a couple of years who has contributed to a lot of the damages and debris that is currently on the property. Stated that he has paid some of the back taxes that are outstanding and had some of the debris hauled away and was not aware until today that there was more.

Motion--

Brewer moved that the remainder of the taxes be paid by Friday, November 18, 2005; to follow up and secure the structure and have this completed by November 18, 2005; premises is mowed and free of debris by November 21, 2005 and that it stay that way. If this is not done, then to proceed with staff's recommendation. Also that the repairs be completed within 60 days. Motion carried 6 to 0, (Mayans absent).

--carried

### RESOLUTION NO. 05-611

A Resolution finding that the structure/s located on Lots 5, 8, 9, and 10, Mercer's Subdivision of Lot 6, Tarlton's 2nd Addition to Wichita, Kansas, Sedgwick County, Kansas, commonly known as 1135 North Piatt, is/are unsafe or dangerous and directing the structure/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

## ELECTRICAL CODE

### ORDINANCE CHANGES TO THE CITY OF WICHITA ELECTRICAL CODE, TITLE 19 OF THE CODE OF THE CITY OF WICHITA.

Kurt Schroeder

Office of Central Inspection reviewed the item.

Agenda Report No. 05-1056

The National Electrical Code (NEC), published by the National Fire Protection Association, is updated every three years in order to keep current with changing industry standards and practices. The 2005 NEC is the most current edition. Presently, the City of Wichita is enforcing the 2002 edition of this code, as adopted and amended in Title 19 of the Code of the City of Wichita.

Similarly, ASME Standard A17.1, Safety Code for Elevators and Escalators, and ASME Standard A18.1, Safety Standard for Platform Lifts and Stairway Chairlifts, both published by the American



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Society of Mechanical Engineers, are revised and updated about every four years to keep current with changing industry safety standards. The 2004 and 2003 editions of these codes (respectively) are the most current editions. Wichita is presently enforcing the 1996 editions of these codes, as adopted and amended in Title 19.

The Board of Electrical Appeals (Board), along with Office of Central Inspection staff, have recently completed their review of the most current editions of the 2005 NEC, the 2004 Safety Code for Elevators and Escalators and the 2003 Safety Standard for Platform Lifts and Stairway Chairlifts. Beginning in March 2005, the Board and OCI staff solicited input from various electrical trade organizations, elevator trade companies, the Wichita Area Builders Association and other interested individuals as they reviewed the new electrical codes and elevator safety standards. At its September 13, 2005 meeting, the Board voted unanimously to recommend to City Council that the 2005 edition of the National Electrical Code, the 2004 edition of the Safety Code for Elevators and Escalators and the 2003 edition of the Safety Standard for Platform Lifts and Stairway Chairlifts be adopted by reference in Title 19, with proposed local amendments, as the electrical wiring/elevator installation code for the City of Wichita.

There are only a few significant changes to the national model codes/standards that will effect the local construction and electrical/elevator trade industry. Most of the recommended local amendments are included to clarify the intent of certain code sections, or to codify local procedures and/or policies that have been in place and implemented for many years. Significant changes include:

- Implementation of the NEC requirement for installation of arc-fault circuit breakers in bedrooms of newly constructed homes, and in bedroom additions to existing homes. This requirement was amended out of Title 19 during the 2002 NEC adoption process to further study the technology, and to more fully gage its performance (both nationally and within unincorporated Sedgwick County which has been enforcing the arc-fault circuit requirement since 2001). Previous concerns expressed by the homebuilding industry related to reliability, cost and testing of arc-fault circuit equipment have been addressed, and local homebuilders (primarily represented by the Wichita Area Builders Association) are now supportive of this new technology as a reliable and effective life-safety device.
- Amending NEC Section 406.8(B)(1) & (2) to only require in-use weatherproof covers (commonly referred to as “bubble covers”) in situations where a cord will be plugged into the receptacle while unattended, as in a timer or transformer for low voltage lights or an outside appliance that is continually plugged in. This is in response to problems seen in maintaining the effectiveness of such “bubble covers” in many outdoor outlet situations. For most exterior outlets, the more common metal flip-cover protectors will still be allowed in lieu of the “bubble covers”.
- Replacing the “mobile home service technician” member of the Board of Electrical Appeals with a certified elevator mechanic. There has rarely been Board discussions that specifically affect mobile home service technicians, while there are frequent discussions of matters that relate to elevator codes, installations and technologies. The specific knowledge and input of a certified elevator mechanic will be extremely valuable to the Board.
- Inclusion of a new requirement that a water well electrical permit, separate from any residential “combination” building permit, be required for water well installations. This will minimize confusion and/or delays at the final building occupancy inspection for new houses that are served by water well (for irrigation and/or non-potable drinking water purposes). This amendment was developed with feedback from the industry, WABA and the Environmental Services Department.
- Electrical permit fee increases. The minimum or base permit fee remains unchanged at \$25 (increased about 10 years ago), but most of the specific permit work item fees (number of circuits, number of outlets, number/size of electrical service, number of motors, etc.) have not been significantly increased for about 40 years. Even with the proposed fee increase, Wichita will have electrical permit fee rates that are very low relative to peer cities in this region.
- Elevator permit and safety inspection fee increases. These fees have not been increased for about 15 years. The proposed amendments increase the minimum elevator permit fee from \$15 to \$25 (consistent with all other trade permits minimum fees), and increase the fees for routine annual elevator inspections by \$5 and for 5-year full load safety tests/inspections by \$50 (from \$150 to \$200).

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· Addition of new language requiring that an identification tag be located at the telephone terminal in a building with an elevator to identify the telephone line/number that is assigned to the emergency telephone in the elevator. This is a life safety code enhancement, is not difficult to achieve, and has the support of the industry and the Building Owners and Managers Association (BOMA).

The proposed amendments on electrical and elevator permits will increase annual OCI revenues by approximately \$150,000.00.

The recommended ordinance revisions have been approved as to legal form by the Law Department.

Vice-Mayor Schlapp

Vice-Mayor Schlapp inquired whether anyone wished to be heard and no one appeared.

Motion--

Gray moved that the proposed ordinance amendments to the City of Wichita Electrical Code (Title 19 of the Code of the City of Wichita) be placed on first reading. Motion carried 6 to 0, (Mayans absent).

--carried

## ORDINANCE

An Ordinance amending Sections 19.04.020, 19.04.040, 19.04.070, 19.04.080, 19.04.090, 19.08.010, 19.08.015, 19.08.030, 19.08.050, 19.08.061, 19.08.070, 19.08.150, 19.08.170, 19.08.171, 19.08.172, 19.12.010, 19.12.020, 19.12.040, 19.12.050, 19.12.080, 19.12.090, 19.16.010, 19.16.030, 19.16.070, 19.24.040, 19.24.060, 19.24.090, 19.24.110, 19.28.040, 19.28.090, and 19.28.100 of the Code of the City of Wichita, Kansas and repealing the originals thereof; creating Sections 19.04.035, 19.08.145, 19.08.180, 19.12.060, 19.12.110, 19.12.130, 19.12.150, 19.12.170, 19.12.185, 19.12.190, 19.12.195, 19.12.210, 19.16.040, 19.16.090, 19.16.110, 19.22.010, 19.22.020, 19.22.030, 19.22.040, 19.22.050, 19.22.060, 19.22.070, 19.22.080, 19.22.090, 19.22.100, 19.22.110, 19.22.120, 19.22.130, 19.22.140, 19.22.150, 19.22.160, 19.22.180, 19.22.190, 19.22.200, 19.22.210, 19.22.220, 19.22.230, 19.22.240, 19.22.250, 19.22.260, 19.22.270, 19.22.280, 19.24.025, 19.24.035, 19.24.120, and 19.28.120; and repealing Sections 19.08.085, 19.08.090, 19.08.095, 19.08.100, 19.08.105, 19.08.110, 19.08.155, 19.12.035, 19.16.080; all pertaining to the Electrical Code of the City of Wichita, Kansas, introduced and under the plans laid over.

## PLANNING AGENDA

Council Member Fearey

Council Member Fearey requested to pull item 28 for discussion.

Motion--

Vice-Mayor Schlapp moved that consent Planning Items 24 through 29, excluding item 28, be approved as presented. Motion carried 6 to 0, (Mayans absent).

-carried

**SUB2002-17**

**SUB2002-17-PLAT OF HOLT ADDITION, LOCATED ON THE SOUTH SIDE OF CENTRAL AVENUE AND WEST OF GREENWICH ROAD. (COUNTY)**

Agenda Report No. 05-1057

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

This site, consisting of one lot on 2.06 acres, is located in the County within three miles of Wichita's city limits. This site is zoned LI, Limited Industrial District.

Municipal water is available to serve this site. A Petition, 100 percent, and a Certificate of Petition were submitted to guarantee the extension of future sewer. The site has been approved by the County Health Department for the use of on-site sanitary sewer facilities.

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This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate Petition will be recorded with the Register of Deeds.

Motion--  
--carried

Vice-Mayor Schlapp moved that the document and plat be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## RESOLUTION NO. 05-602

Resolution of findings of advisability and Resolution authorizing construction of Lateral 392, Four Mile Creek Sewer (south of Central, west of Greenwich) 468-84116, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

SUB2005-05

### **SUB2005-05-PLAT OF CLIFTON COVE ADDITION, LOCATED ON THE SOUTH SIDE ON THE SOUTH SIDE OF 63ED STREET SOUTH AND WEST OF CLIFTON. (DISTRICT III)**

Agenda Report No. 05-1058

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (8-0)

This site, consisting of 109 lots on 51.4 acres, is within Wichita's city limits. Since annexation is a condition for approval for this plat, the corresponding annexation case (A05-06) is on the same agenda. When annexed, the site will be zoned SF-5, Single-Family Residential District.

Petitions, 100 percent, and a Certificate of Petitions have been submitted for sewer, water, paving and drainage improvements. Restrictive Covenants were submitted to: 1) create a Lot Owners' Association for the ownership and maintenance of the proposed reserves being platted for drainage purposes; 2) provide four off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street; and 3) outline restrictions for lot-owner use for platting of narrow street right-of-way with adjacent 15-foot street drainage and utility easements. Since this site is located within the noise impact area of McConnell Air Force Base, an Avigational Easement and Restrictive Covenant were submitted. A Temporary Gas Service Line Easement was also submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate of Petitions, Restrictive Covenants and Easements will be recorded with the Register of Deeds.

Motion--  
-- carried

Vice-Mayor Schlapp moved that the documents and plat be approved the Resolutions be adopted and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## RESOLUTION NO. 05-603

Resolution of findings of advisability and Resolution authorizing construction of Lift Station, Main 1, Boeing Sanitary Sewer (south of 63<sup>rd</sup> Street South, west of Clifton) 468-84022, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

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## RESOLUTION NO. 05-604

Resolution of findings of advisability and Resolution authorizing construction of Lateral 1, Main 1, Boeing Sanitary Sewer (south of 63<sup>rd</sup> Street, west of Clifton) 468-84023, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

## RESOLUTION NO. 05-605

Resolution of findings of advisability and Resolution authorizing improving Storm Water Drain No. 269 (south of 63<sup>rd</sup> Street, west of Clifton) 468-84024, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

## RESOLUTION NO. 05-606

Resolution of findings of advisability and Resolution authorizing constructing pavement on Jade Ave. from the north line of the Plat, south to the north line of Sunflower Dr., Sunflower Dr. from the west line of Jade Ave. west to the east line of Cedardale Ave., on Cedardale Ave., from the north line of the Plat south and east to the west line of Jade Ave., and on Jade Ave. from the south line of Cedardale Ave. north to the south line of Sunflower Dr. and a sidewalk constructed on Jade Ave. (south of 63<sup>rd</sup> Street, west of Clifton) 472-84227, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

## RESOLUTION NO. 05-607

Resolution of findings of advisability and Resolution authorizing constructing pavement on Sunflower Dr. from the east line of Jade Ave., east to the west line of Clifton Ave., Clifton Ave. from the east line of Sunflower Dr., north to the north line of the Plat, Sunflower Ct. from the north line of Sunflower Dr. west to and including the cul-de-sac, Vassar Ave. from the south line of Sunflower Dr. south to the north line of reserve "C" and a sidewalk constructed on Sunflower Dr. and Clifton Ave. (south of 63<sup>rd</sup> Street South, west of Clifton) 472-84228, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

## RESOLUTION NO. 05-608

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System No. 448-90080, (south of 63<sup>rd</sup> Street South, west of Clifton) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

## RESOLUTION NO. 05-609

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System No. 448-90081 (south of 63<sup>rd</sup> Street South, west of Clifton) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

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## RESOLUTION NO. 05-610

Resolution of findings of advisability and Resolution authorizing construction Water Distribution System No. 448-90082 (south of 63<sup>rd</sup> Street South, west of Clifton) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Schlapp moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, (Mayans absent)

SUB2005-95

### **SUB2005-95-PLAT OF 21ST STREET KIDS AND FAMILY EMPOWERMENT ADDITION, LOCATED EAST OF HYDRAULIC AND ON THE NORTH SIDE OF 21ST STREET NORTH, (DISTRICT I)**

Agenda Report No. 05-1059

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (10-0)

This site, consisting of four lots on 32.05 acres, is located within Wichita's city limits. A zone change request (PUD 2005-04) from MF-29, Multi-Family Residential District to PUD, Planned Unit Development has been approved. A PUD Certificate was submitted identifying the approved PUD and its special conditions for development on this property.

For those reserves being platted for drainage purposes, a Restrictive Covenant was submitted to allow the creation of a Lot Owners' Association to provide for ownership and maintenance of the reserves.

The City of Wichita is the property owner and platlor.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days. Publication of the Ordinance should be withheld until such time as the plat is recorded with the Register of Deeds.

The PUD Certificate and Restrictive Covenant will be recorded with the Register of Deeds.

Motion--

Vice-Mayor Schlapp moved that the documents and plat be approved; the necessary signatures for approval of the plat and the City's ownership interest be authorized and the Ordinance placed on first reading. Motion carried 6 to 0, (Mayans absent).

--carried

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21, introduced and under the plans laid over. (PUD 2005-04)

A05-06R

### **A05-06R CAYWOOD, LLC AND DONNIE E. COOK, REQUEST TO ANNEX LANDS GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 63RD STREET SOUTH AND CLIFTON STREET. (DISTRICT III)**

Agenda Report No.05-1060

The City has received a request to annex 51.4 acres of land generally located southwest of the intersection of 63rd Street South & Clifton Street. The annexation area abuts the City of Wichita to the west of the proposed property. The property owner proposes to develop the property for single-family use. The proposed property consists of a replat of Woodvale Addition, in addition to property that is currently being reviewed for plat approval.

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## Analysis:

**Land Use and Zoning:** The proposed annexation consists of 51.4 acres of property currently zoned "SF-20" Single-Family District and "RR" Rural Residential. Upon annexation, the zoning of the subject property will change from "SF-20" and "RR" to "SF-5" to allow for the lot sizes being platted. Directly west of the proposed property lies the Big Arkansas River, and the west side of the River is developed "SF-5" Single-Family Residential and "RR" Rural Residential. The properties to the east and south of the proposed annexation are zoned "RR" Rural Residential. The properties directly to the north of the proposed site are zoned "SF-20" and "RR."

**Public Services:** The City of Wichita signed a water agreement with the City of Derby on November 8, 2005 for the sale of water by Wichita in the El Paso Water Company, Inc., Service Area. Baughman Company is currently working with the City of Wichita for sewer extensions to serve this proposed property. The nearest sewer connections are approximately 1 mile to the north.

**Street System:** The subject property currently has access to 63rd Street, Clifton Street and Vassar Street. Clifton Street and Vassar Street are paved, two-lane roads. According to the Sedgwick County Capital Improvement Program 2005-2009 and the Wichita-Sedgwick County MAPD Transportation Improvement Program 2004-2008, improvements are being made to the east of the proposed annexation property on 63rd Street South between Buckner and the Butler County line. The County is currently upgrading 63rd Street to a four-lane paved road. 63rd Street South is a major commuter route to McConnell and Boeing and connects south Wichita with Derby and Butler County.

In addition, the Sedgwick County Capital Improvement Program 2005-2009, the Wichita-Sedgwick County MAPD Transportation Improvement Program 2004-2008 and the City of Wichita Capital Improvement Program 2005-2014 has scheduled improvements to the west of the proposed annexation property. These improvements include the widening of Hydraulic from 57th Street to 63rd Street, and the widening of 63rd Street South between Broadway and Hydraulic.

**Public Safety:** Fire services to this site can be provided by the City of Wichita within a nine (9) to ten (10) minute approximate response time from City Station No. 19 located at 4440 South Broadway. Upon annexation, police protection will be provided to the area by the Patrol South Bureau of the Wichita Police Department, headquartered at 211 East Pawnee.

**Parks:** South Arkansas River Greenway, a 158-acre park, is located about 3/4 of a mile to the south of the proposed annexation site. It is expected that this parcel will remain a protected undeveloped area along the Arkansas River south of Wichita. In addition, according to the 1996 Parks and Open Space Master Plan, a pathway is proposed along the west and southwest side of the subject property.

**School District:** The annexation property is part of the Unified School District 260 (Derby School District). Annexation will not change the school district.

**Comprehensive Plan:** The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The proposed annexation property falls within the 2030 Wichita Urban Growth Area as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$203,040 with a total assessed value of \$24,703. Using the current City levy (\$31.406/\$100 x assessed valuation), this roughly yields \$756 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property, and the current mill levy. At this time, the property owner is seeking final approval of a plat to develop 109 single-family units on the subject property within the next five years. The value of each developed lot is estimated at \$88,000, so the total value after development is complete is estimated at \$9,592,000. Assuming the current City levy remains about the same, this would roughly yield \$34,643 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--  
--carried

Vice-Mayor Schlapp moved that the annexation request be approved and the Ordinance placed on first reading. Motion carried 6 to 0, (Mayans absent).

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## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A05-06)

(Item 28)  
A05-14R

**A05-14R REQUEST BY PEARCE SCHNITZLER FARMS AND R & R REALTY, TO ANNEX LAND GENERALLY LOCATED NORTHWEST OF 53RD STREET AND MERIDIAN, (DISTRICT VI)**

Agenda Report No. 05-1061

The City has received a request to annex approximately 24.72 acres of land generally located northwest of the intersection at 53rd Street and Meridian. The annexation area abuts the City of Wichita to the east. In addition, a plat is currently being requested for this proposed annexation area, in which a Wal-Mart store is being proposed.

**Analysis:**

**Land Use and Zoning:** The proposed annexation consists of approximately 24.72 acres of property currently zoned "SF-20" Single-Family Residential. Upon annexation, the property will automatically convert to "SF-5" Single-Family Residential. In addition, a request will be made to rezone the property for Limited Commercial use.

Property to the north, west and south of the subject property is zoned "SF-20" Single-Family Residential, while property to the east is zoned "LC" Limited Commercial, "GO" General Office, and "SF-5" Single-Family Residential.

**Public Services:** There is an existing 20" water line in Meridian along the east side of the subject property. As part of the platting process, the developer is being required to extend water along 53rd Street, on the south side of the property. The nearest current sewer line is located at Meridian and Keywest; but this area is currently in the design phase to extend a sewer main to service this property and a large area surrounding the property.

**Street System:** The subject property borders 53rd Street to the south and Meridian to the east. Meridian is a paved 4-lane roadway with improvements at the intersection to add the 5th lane. 53rd Street is paved and is currently 5-lanes at the intersection and tapers back to 2-lane west of Meridian. The City of Wichita Capital Improvement Program (CIP) 2005-2014, the 2004 Transportation Improvement Program, and the Sedgwick County Capital Improvement Program 2005-2009 do not call for improvements near the proposed annexation site.

**Public Safety:** Fire services to this site can be provided by the City of Wichita within a four (4) to five (5) minute approximate response time from City Station No. 13 located at 3162 W. 42nd Street North. Upon annexation, police protection will be provided to the area by the Patrol North Bureau of the Wichita Police Department, headquartered at 3015 E. 21st Street North.

**Parks:** The Brooks Tract Park is currently being developed, which is 272-acres that is located approximately 1 mile to the southwest of the proposed annexation site. In addition, Hellers Park is a 32-acre park, located approximately 2 miles to the southeast of the proposed annexation site. Hellers Park has a half-mile dirt trail and is designated as a Wichita Wild Habitat Area. According to the 1996 Parks and Open Space Master Plan, a pathway has been proposed that would run along the south boundary of the subject property.

**School District:** The annexation property is part of the Unified School District 262 (Valley Center School District). Annexation will not change the school district.

**Comprehensive Plan:** The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area as shown in the Plan.

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The current approximate appraised value of the proposed annexation lands, according to County records, is \$5,572 with a total assessed value of \$1,6712. Using the current City levy (\$31.828/\$1000 x assessed valuation), this roughly yields \$52 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property, and the current mill levy. At this time, the property owner is anticipating that the property will be developed within the next three years. The total appraised value of this limited commercial development after completion is estimated at \$12,534,908. Assuming the current City levy remains about the same, this would roughly yield \$98,418 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Council Member Fearey Council Member Fearey stated that this is a request for annexation and the proposed use on this is for a Walmart Store and that would require a rezoning. Asked if the annexation today have any bearing on the rezoning.

John Schlegel Planning Director explained that it does not and that the annexation that is being requested is consistent with the Wichita/Sedgwick County Comprehensive Plan and whether or not that rezoning request is granted or not when it comes before the City Council, this annexation would still be in conformance with that plan and they would still recommend that the Council approve the annexation. Stated that this does not constitute an approval of the rezoning request.

Motion-- Fearey moved that the annexation request be approved and the Ordinance placed on first reading.  
--carried Motion carried 6 to 0, (Mayans absent).

## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A05-14)

**A05-15R**

**A05-15R REQUEST BY PAUL R. WENINGER REVOCABLE LIVING TRUST AND MARY JOAN WENINGER REVOCABLE LIVING TRUST, TO ANNEX LAND GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF PAWNEE AND 127TH STREET EAST. (DISTRICT II)**

Agenda Report No.05-1062

The City has received a request to annex 155.53 acres of land generally located southwest of the intersection of Pawnee Street and 127th Street East. The annexation area abuts the City of Wichita to the north. The property owner anticipates that the proposed property will be developed with approximately 380 "SF-5" Single-Family Residential units, as well as, approximately 390,000 SF of office and/or commercial property. An isolated road segment is also included with this annexation.

### Analysis:

Land Use and Zoning: The proposed annexation consists of approximately 148 acres of property currently zoned "SF-20" Single-Family Residential, which upon annexation will convert to "SF-5" Single-Family Residential. The proposed annexation also consists of approximately 7.33 acres of "LC" Limited Commercial property, which will remain "LC" Limited Commercial upon annexation, unless otherwise requested.

Property to the west and south of the subject property is zoned "SF-20" Single-Family Residential, while property to the east is zoned "SF-20" and "LC." Property to the north of the subject property is zoned "SF-5" Single-Family Residential and "LC" Limited Commercial.

Public Services: There is an existing 12" water line along Pawnee, coming from Greenwich and ending at the northwest corner of the subject property. There is also an existing 8" sanitary sewer at the northwest corner of the subject property; but in addition, a 10" sewer line is planned that will cross Pawnee approximately 1/4 mile west of 127th Street.



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**Street System:** The subject property borders Pawnee Street to the north and 127th Street East to the east, which are both paved, two-lane arterial roads. The City of Wichita Capital Improvement Program (CIP) 2005-2014 does not call for improvements to roads along the subject property, but has scheduled improvements to the west of the subject property that would widen Pawnee Street from Greenwich Road to Webb Road and Greenwich Road from Pawnee to Kellogg to a four or five lane road. The 2004 Transportation Improvement Program and the Sedgwick County Capital Improvement Program 2005-2009 does not call for improvements near the proposed annexation site.

**Public Safety:** Fire services to this site can be provided by the City of Wichita within a nine (9) to ten (10) minute approximate response time from City Station No. 15 located at 7923 E. Lincoln. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 S. Edgemoor.

**Parks:** The W.B. Harrison Park, a 40.15-acre park, is located approximately 3 miles to the northwest of the proposed annexation site. Amenities at the park include two tennis courts, a softball diamond, a rugby field, a children's play area, a jogging trail, a fishing pond, picnic tables and two parking areas. According to the 1996 Parks and Open Space Master Plan, a pathway has been proposed that would run along the north boundary of the subject property along Pawnee, and then south through the property and then east along the south side of the subject property.

**School District:** The annexation property is part of the Unified School District 259 (Wichita School District). Annexation will not change the school district.

**Comprehensive Plan:** The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$72,310 with a total assessed value of \$13,235. Using the current City levy (\$31.828/\$1000 x assessed valuation), this roughly yields \$594 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property, and the current mill levy. At this time, the property owner is anticipating that approximately 380 single-family housing units and approximately 390,000 sq. ft. of office and commercial property will be developed within the next twenty years. The total appraised value of this residential development after completion is estimated at \$47,500,000. Assuming the current City levy remains about the same, this would roughly yield a total of \$171,555 in City annual tax revenues. The total appraised value of the office and commercial development after completion is estimated at \$9,400,000. Assuming the current City levy remains about the same, this would roughly yield a total of \$73,804 in City annual tax revenues. In sum, after the residential, commercial and office developments are complete, the appraised value of the subject property is estimated at \$56,900,000 and should roughly yield a total of \$245,359 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--  
--carried

Vice-Mayor Schlapp moved that the annexation request be approved and the Ordinance placed on first reading. Motion carried 6 to 0, (Mayans absent).

## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A05-15)

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## HOUSING AGENDA

### SECTION 8

### 2006 PAYMENT STANDARDS-SECTION 8 HOUSING CHOICE VOUCHERS.

Agenda Report No. 05-1063

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Payment standards represent the amount of rent paid to owners, plus tenant paid utilities, and are established by Housing Authorities based on current Fair Market Rents. The Department of Housing and Urban Development published a notice of Fair Market Rents (FMRs), effective October 1, 2005. These FMRs are calculated to be at the 50th percentile of rents in the Wichita area, and include an allowance for utilities.

The Quality Housing and Work Responsibility Act (QHWRA) of 1998 requires that Housing Authorities operating Section 8 Housing Choice Voucher Programs, establish Section 8 Voucher Payment Standards between 90% and 110% of the Published Fair Market Rent for each bedroom size. The payment standards are used to calculate the amount of the monthly subsidy paid to landlords.

The QHWRA also includes a provision that a family, which initially receives Section 8 tenant-based assistance, may not be required to pay more than 40% of its adjusted monthly income for rent and utilities. In order to determine appropriate rent rates for the WHA based on the latest published Fair Market Rent schedule, staff reviewed requests for tenancy and actual rents for the months of January through October 2005. As a result of the staff review, Housing and Community Services recommends that the current payment standards for 0-2 and 4-6 bedroom sizes be calculated at 100% of the 2005 FMR. The Department further recommends that payment standards for 3 bedroom units be calculated at 105% of 2005 FMR to meet the average rate of rent.

Following is a table of the October 2005 FMR, the current payment standards and the recommended increase or decrease in payment standards based on bedroom sizes:

BEDROOM SIZE	0	1	2	3	4	5	6
FMR (10/1/2005)	439	492	635	816	930	1069	1209
Current Pymt. Standard	429	492	658	886	963	1044	1180
Recommended Standard	439	492	635	856	930	1069	1209

Decreasing the payment standards will help the Wichita Housing Authority (WHA) maintain the current number of households served. Wichita Housing Authority recommends these standards in order to meet its goal of assisting as many households as possible, in light of continued decreases in Housing Assistance Payment funds by HUD.

Motion--

Inafay Grays-McClellan moved that the revised Payment Standards for the Section 8 Voucher Program to be effective for January 1, 2006 for new clients and current clients who are relocating, and as of April 1, 2006 for current clients as determined by their recertification dates be approved. Motion carried 7 to 0, (Mayans absent).

--carried

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## AIRPORT AGENDA

### WATC

#### CONSENT TO ASSIGNMENT OF AVIATION EDUCATION CENTER TO WATC.

Agenda Report No. 05-1064

Prior to July 1, 2004, WATC was part of and governed by the Board of Education of USD 259. In the 2004 legislative session, a law was passed that placed technical colleges under the State Board of Regents and took them out from the governance of the local Boards of Education. Under that law, technical colleges became political subdivisions of the State.

The Aviation Education Center located on Airport property is used by WATC. The existing Agreement on Conveyance of Real Estate covering such property is an agreement between the Wichita Airport Authority and USD 259. The agreement provides for assignment with the consent of the non-assigning party.

This transaction has no financial impact on the City.

The Law Department has approved the Acknowledgement and Consent as to form.

Motion--  
--carried

Martz moved that the assignment of the Agreement on Conveyance of Real Estate be approved and the necessary signatures authorized. Motion carried 6 to 0, (Mayans absent).

## CITY COUNCIL

### BOARD APPTS.

#### BOARD APPOINTMENTS.

There were no board appointments to consider.

Motion--carried

Vice-Mayor Schlapp moved that the meeting be adjourned. Motion carried 6 to 0, (Mayans absent).

### ADJOURNMENT

The meeting adjourned at 10:09 a.m.

Respectfully submitted,

Karen Sublett  
City Clerk

\*\*\*Workshop followed in the First Floor Board Room\*\*\*